

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SCS-06 CA-01 L-03 H-01 CIAE-00
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E.O. 11652: N/A
TAGS: CARR, TU, CASC
SUBJ: PRISONER TRANSFER TREATY

A) ANKARA 0013, B) STATE 310326 AND PREVIOUS

1. DCM CALLED ON MFA DEPUTY SECRETARY GENERAL VAHAP ASIROGLU
JANUARY 5 TO FOLLOW UP CONVERSATION REPORTED REFTEL A CONCERNING
PRISONER TRANSFER TREATY AND ANTAKYA THREE. ASIROGLU
INDICATION THAT MAJOR REASON HE HAD DONE NOTHING WITH DRAFT
TREATY MINISTRY OF JUSTICE HAD SUBMITTED TO MFA SOME SIX MONTHS AGO
WAS THAT THAT HE HAD FEARED THE POLITICAL RAMIFICATIONS OF BRINGING
UP THE TREATY WHILE NSP LEADER ERBAKAN WAS MAJOR FIGURE IN
COALITION GOVERNMENT. HE BELIEVED THAT WITH NEW ECEVIT
GOVERNMENT, CONDITIONS WERE MORE FAVORABLE AND WAS NOW PREPARED
TO TAKE STEPS. HE PROMISED TO GIVE US TURKISH DRAFT IN MONTH OR SO.
HE DID NOT THINK NEGOTIATION OF THE TREATY REPRESENTED
A MAJOR PROBLEM BUT CAUTIONED THAT RATIFICATION WOULD
TAKE A LONG TIME, PERHAPS EVEN MORE THAN THREE YEARS.
IN THIS CONNECTION, HE SAID THAT EVEN ROUTINE CULTURAL
TREATIES FOR WHICH HE WAS RESPONSIBLE WERE TAKING THREE
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TO FOUR YEARS TO GET THROUGH THE PARLIAMENT.

2. TURNING TO THE ANTAKYA THREE, ASIROUGLU ADVOCATED
USE OF SECTION 647 PROCESS RATHER THAN THE TREATY AS
A WAY TO RELEASE THE GROUP QUICKLY. HE INDICATED
SYMPATHY FOR THE GIRLS AND CLAIMED THAT SIMILAR SYMPATHY
WAS FELT BY MINISTRY OF JUSTICE OFFICIALS WHO WOULD

CONSIDER AND SUPPORT A SECTION 647 REQUEST. TO REINFORCE HIS SUGGESTION OF A SECTION 647 PROCEDURE, ASIROGLU CITED A DANISH CASE IN WHICH HE WAS INTIMATELY INVOLVED. THE DANISH AUTHORITIES WERE INITIALLY RELUCTANT, LIKE THE U.S., TO GIVE THE GUARANTIES REQUIRED BY SECTION 647 DUE TO LACK OF PERMITTING DANISH LEGISLATION. THE DANISH AMBASSADOR WAS FINALLY PERSUADED AND A NOTE WAS FORWARDED TO THE FOREIGN MINISTRY. THE DANISH SUBJECT WAS SUBSEQUENTLY TRANSFERRED TO DENMARK WHERE HE WAS RELEASED ALMOST IMMEDIATELY. AS AN ASIDE ASIROGLU INDICATED THAT THE RECIPROCAL REQUIREMENT OF SECTION 647 HAS BEEN FULFILLED BY THE DANES AND SOME TURKS (NUMBER UNSPECIFIED) HAVE BEEN RETURNED TO TURKEY. HE PROMISED TO PROVIDE US A COPY OF THE DANISH NOTE AND WORK WITH US IN ORDER TO REACH MUTUALLY AGREEABLE LANGUAGE FOR SECTION 647 ACTION.

3. DCM IN RESPONSE AGREED THAT SECTION 647 OFFERED MORE IMMEDIATE CHANCE OF SUCCESS AND PERHAPS NOW THAT THERE IS U.S. LEGISLATION FOR SUCH ACTION IT JUST MIGHT BE POSSIBLE TO MAKE SECTION 647 VIABLE. NEVERTHELESS, WE STILL WISHED TO PURSUE TREATY AS U.S. DID NOT VIEW THE MATTER ONLY IN RELATION TO THE ANTAKYA THREE. WE WOULD, HOWEVER, SERIOUSLY CONSIDER HIS SUGGESTION AND WOULD FOLLOW IT UP WITH HIM.

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4. NOTWITHSTANDING THE CONSIDERABLE AMOUNT OF TIME AND THOUGHT PREVIOUSLY GIVEN TO SECTION 647 ACTION, WE BELIEVE NOW THAT LEGISLATION IS ON THE BOOKS AS A RESULT OF MEXICO AND CANADA PRISONER TRANSFER TREATIES THIS COULD BE A MEANS TO SECURE RAPID RELEASE OF THE ANTAKYA THREE. ASIROGLU ONCE AGAIN MADE IT CLEAR THAT GOT WAS NOT CONCERNED WHAT HAPPENED TO THE GROUP AFTER THEIR RETURN TO THE UNITED STATES PROVIDED THAT THEY WERE NOT RELEASED IMMEDIATELY UPON SETTING FOOT ON U.S. SOIL AND DID NOTHING TO EMBARRASS GOT ALONG THE LINES OF BILLY HAYES. WE WILL STUDY THE DANISH NOTE AND SUBMIT A RECOMMENDATION TO THE DEPARTMENT FOR YOUR CONSIDERATION.
SPIERS

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